

**CUT BANK CITY COUNCIL
OCTOBER 7, 2019
6:30 P.M. – CITY HALL**

PUBLIC HEARING ON CONDITIONAL USE PERMIT FOR BIG SKY AQUARIUMS

City Attorney Smith opened the public hearing at 6:30 PM. He called on Jennifer Gardner, owner of Big Sky Aquariums, to provide an affidavit of publication proving she advertised the public hearing twice in the Cut Bank Pioneer Press. She proved the affidavit. The business location is 30 2nd Avenue SE. She will be doing business at 13 East Main Street. Ms. Gardner was asked if she received any comments from neighbors regarding the conditional use permit. She stated she received positive feedback from one neighbor. City Attorney Smith asked City Clerk-Treasurer Burley if she received any comments on the proposed conditional use permit and she replied that she had not. City Attorney Smith then asked for comments from the public on the proposed permit and none were heard. City Attorney Smith ended the public hearing.

PUBLIC HEARING ON THE MEDICAL PERMISSIVE LEVY BUDGET

City Attorney Smith opened the public hearing at 6:39 PM. He swore in City Clerk-Treasurer Burley and asked her if she had any responsibilities in the process of holding this public hearing. She stated that it is her responsibility to advertise the public hearing twice in the local newspaper, collect an affidavit of publication proving she had done so, and receive written and verbal comments regarding the medical permissive levy budget. When asked if she had advertised the hearing and received the affidavit, Clerk-Treasurer Burley stated she had and provided the affidavit. When asked, Clerk-Treasurer Burley reported she had not received any comments on the budget. At this time City Attorney Smith asked for public comment on the proposed medical permissive levy budget and received no comments. City Attorney Smith ended the hearing.

CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE:

City Council President Tim Curtiss called the meeting of the Cut Bank City Council to order at 6:44 PM, Monday, October 7, 2019. The following persons answered roll call: Councilpersons Timothy Curtiss, Donovan Grubb and Erik Nelson. Also present were City Superintendent James Suta, and City Attorney Robert Smith and Clerk-Treasurer Burley. All present stood and recited the Pledge of Allegiance.

ABSENT: *Mayor Raemaeker, Councilperson Kipp*

VISITORS: *Jennifer Gardner*

PUBLIC COMMENT: *None*

ADDITIONAL ITEMS FOR DISCUSSION: *Upcoming councilperson vacancy.*

CLAIMS:

Councilperson Grubb moved to approve the payment of claims through September 27, 2019 for \$60,487.51; Warrants 57801-57828. Councilperson Nelson seconded. Motion carried with all in favor.

CONSENT AGENDA:

Councilperson Nelson made the motion to approve the minutes from September 23, 2019 meeting, payroll for September 19, 2019 - \$83,369.84. Councilperson Grubb seconded it. Motion carried unanimously.

DEPARTMENT HEAD REPORTS:

City Superintendent Suta presented his report to the Council. The upgrades done on the streets this summer were discussed and planned work for next summer was presented. The equipment, owned by Tri-City Equipment Pool, is in need of repairs. Once repaired, next year's plan should be carried out

easily. Councilperson Grubb motioned to accept the City Superintendent’s Report and Councilperson Nelson seconded. The motion carried 3-0.

OLD BUSINESS: *None*

NEW BUSINESS:

Councilperson Curtiss moved to approve conditional use permit application of Big Sky Aquariums. Councilperson Grubb seconded the motion and motion carried unanimously.

Councilperson Nelson moved to approve the medical permissive levy budget. Councilperson Grubb seconded the motion that carried unanimously.

WORK SESSION:

There will be a council vacancy on January 1, 2020 since we only have one person running and two seats will be up for election. Council feels that it would be best to recruit interest in the council seat now so that an appointment can be made as soon as it is vacated. Council directed the Mayor to speak with the Cut Bank Pioneer Press about writing an article explaining what is involved in the position and asking for interested person to submit a letter of interest.

The annexation of property along Railroad was discussed and City Attorney Smith was direct to move toward the annexation.

CORRESPONDENCE: *None*

COMMITTEE REPORTS: *Councilperson Grubb reported that Chamber Up will be held tomorrow, October 8, 2019, at Billman’s Home Décor.*

City Superintendent Suta reported that the City would be responsible to create a Vulnerability Study for natural disasters. It is to be completed by September of 2020, so he is already begun work on it.

ADJOURNMENT: *There being no further business to come before the Council, Council President Curtiss adjourned the meeting at 7:12 PM. The next regular meeting is scheduled for October 21, 2019 at 6:30 PM.*

Attest:

Approve:

Linda Burley, Clerk-Treasurer

Tim Curtiss, Council President